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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DAVID McCANN, ) Case No. CV 12-04341 DDP (AJWx)  
Plaintiff, )  
v. ) **ORDER GRANTING DEFENDANTS' MOTION**  
BEAR STEARNS RESIDENTIAL ) **TO DISMISS AND EXPUNGE LIS**  
MORTGAGE CORPORATION; ) **PENDENS**  
STRUCTURED ASSET MORTGAGE )  
INVESTMENTS II INC.; et al., )  
Defendants. ) [Dkt. No. 8]

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Presently before the court is Defendants' Motion to Dismiss Complaint and to Expunge Lis Pendens. Because Plaintiff has not filed an opposition, the court GRANTS the motion.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. C.D. CAL. L.R. 7-9. Additionally, Local Rule 7-12 provides that "[t]he failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion." C.D. CAL. L.R. 7-12.

1 The hearing on Defendants' motion was set for July 9, 2012.  
2 Plaintiff's opposition was therefore due by June 18, 2012. As of  
3 the date of this Order, Plaintiff has not filed an opposition, or  
4 any other filing that could be construed as a request for a  
5 continuance. Accordingly, the court deems Plaintiff's failure to  
6 oppose as consent to granting the motion to dismiss and expunge lis  
7 pendens, and GRANTS the motion.

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9 IT IS SO ORDERED.

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12 Dated: July 10, 2012

  
DEAN D. PREGERSON  
United States District Judge